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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,304	01/25/2001	Aviel D. Rubin	2685/5433	4137

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KENYON & KENYON
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WASHINGTON, DC 20005

EXAMINER

NANO, SARGON N

ART UNIT	PAPER NUMBER
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2157

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DATE MAILED: 06/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/768,304

Applicant(s)

RUBIN ET AL.

Examiner

Sargon N Nano

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15Jan2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.7.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed on Jan. 25, 2001. Claims 1-24 are pending examination.

2. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3 and 6-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Richard et al., U.S Patent No. 6,249,873.

Richard teaches a method of distributing revocation state information includes receiving first update scheduling information from a first party, and sending digital certificate revocation state information (see abstract).

As to claim1, Richard teaches a method of distributing revocation state information, the method comprising:

receiving first update scheduling information from a first party; and sending digital certificate revocation state information to the first party according to a schedule that is based on the first update scheduling information (see col. 3, lines 45-56 and col. 11, lines 12-18).

As to claim 2, Richard teaches the method wherein the method further comprises: receiving second update scheduling information from a second party; and sending digital certificate revocation state information to the second party according to a schedule that is based on the second update scheduling information. (See col. 3, lines 45-56 and col. 11, lines 12-18).

As to claim 3, Richard teaches the method wherein the digital certificate revocation state information is sent to the first party on a different schedule than the digital certificate revocation state information is sent to the second party (see col. 3, lines 45-56 and col. 11, lines 12-18).

As to claim 6, Richard teaches the method wherein the method further includes receiving new update scheduling information from the first party, and wherein when the new update scheduling information is received the digital certificate revocation state information is sent to the first party according to a schedule that is based on the new update scheduling information (col. 3, lines 45- 56 and col. 11, lines 12-18).

As to claim 7, Richard teaches the method wherein the digital certificate revocation state information sent includes a certificate revocation list (col. 10, lines 60-67).

As to claim 8, Richard teaches the method wherein the digital certificate revocation state information includes information identifying revoked certificates (see col.10, lines 60-67 and col.11 lines 1-6).

As to claim 9, Richard teaches the method wherein the digital certificate revocation state information sent includes delta-certificate revocation list information. (See col.10 lines 58-67).

As to claim 10, Richard teaches the method wherein sending digital certificate revocation state information includes sending information using multicasting (see col.3, lines 45 – 56 and col.11, lines 12-18).

As to claim 11, Richard teaches a method of distributing revocation state information, the method comprising: receiving update scheduling information from a digital certificate verifier; assembling certificate revocation information on an ongoing basis; and capturing a state of the certificate revocation information as a certificate revocation list and transmitting the captured certificate revocation list to the digital certificate verifier on a schedule determined by the received update scheduling information (see col.3 , lines 45-56 and col.11 lines 12-18).

As to claim 12, Richard teaches the method wherein the captured certificate revocation list is transmitted using multicast broadcasts (see col.3, lines 45-56 and col.11 lines 12-18).

As to claim 13, Richard teaches the method wherein the captured certificate revocation list is a delta-certificate revocation list (see col.10, lines 58-67).

As to claim 14, the Richard teaches the method wherein said update scheduling information is received during a verifier subscription process (col.2, lines 57-67 and col.3, lines 1-6).

As to claim15, Richard teaches the method wherein the method further comprises receiving new update scheduling information from the verifier, and wherein the revocation state information is transmitted according to a schedule that is based on the new update scheduling information (see col.3 lines 45-56; col.11, lines 12-18 and col.2, lines 57-67).

As to claim16, Richard teaches a method of verifying the validity of a certificate for a transaction, the method comprising: sending update scheduling information to a certificate authority; and receiving certificate revocation information from the certificate authority at scheduled times based on the update scheduling information at scheduled times (see col.7, lines 56-67 and col.8, lines 1-19).

As to claim 17, Richard teaches the method wherein the method further comprises: receiving a digital certificate from a subscriber; and determining whether the digital certificate was revoked based on the received certificate revocation information (see col. 11, lines 1-20).

As to claim 18, Richard teaches the method wherein said sending update scheduling information includes determining the update scheduling information based on a potential cost of reliance on a revoked certificate (see col. 8 lines 60-67).

As to claim 19, Richard teaches the method wherein the method further comprises:

receiving a digital certificate from a subscriber;

determining whether the transaction is associated with a value that is above a pre-determined threshold level; and

verifying the validity of the digital certificate after receiving a next update of certificate revocation information from the certificate authority (see col. 8 lines 60-67; col. 9, lines 1-11 and col. 7, lines 44 - 48).

As to claim 20, Richard teaches An article of manufacture comprising a computer-readable medium having stored thereon instructions adapted to be executed by a processor, the instructions which, when executed, cause the processor to:

receive first update scheduling information from a first party; and

send digital certificate revocation state information to the first party according to a schedule that is based on the first update scheduling information (see col. 3 lines 45-56 and col. 11, lines 12-18).

As to claim 21, Richard teaches the article of manufacture wherein the instructions stored on the computer-readable medium further include instructions adapted to be executed by a processor to: receive second update scheduling information from a second party; and sending digital certificate revocation state

information to the second party according to a schedule that is based on the second update scheduling information (see col. 3 lines 45-56 and col. 11, lines 12-18).

As to claim 22, Richard teaches the article of manufacture wherein the first interval is not equal to the second interval (see col. 9, lines 60-67 and col. 10, lines 1-10).

As to claim 23, Richard teaches the article of manufacture wherein the instructions stored on the computer-readable medium further include instructions adapted to be executed by a processor to receive new update scheduling information from the first party, and wherein the digital certificate revocation state information is sent to the first party according to a schedule that is based on the new update scheduling information. (See col. 3 lines 45-56 and col. 11, lines 12-18).

As to claim 24, Richard teaches the article of manufacture wherein the digital certificate revocation state information sent includes delta-certificate revocation list information. (See col.10, lines 58-67).

4. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 and 5 rejected under 35 U.S.C. 103(a) as being unpatentable over

Richard et al., U.S Patent No. 6,249,873 (referred to hereafter as Richard) in view of

Facs et al. Patent No. 6,016,520 (referred to hereafter as Facs)

Roberts teaches a method of distributing revocation state information, the method comprising:

receiving first update scheduling information from a first party; and sending digital certificate revocation state information to the first party according to a schedule that is based on the first update scheduling information (see col. 3, lines 45-56 and col. 11, lines 12-18).

Roberts does not explicitly teach the limitation of " the schedule provides that the digital certificate revocation state information is sent to the first party at an interval that is less than every 30 seconds and less than every 5 seconds". However, Facs teaches sending the information to the first party at an interval that is less than 5 seconds (see col.15, lines 47-52) .It would have been obvious to one of ordinary skill in the art at the time of the invention to include the sending of information in less than 30 and 5 seconds because doing so would increase the utilization of the connection bandwidth hence reducing the latency that would otherwise delay the transfer.

5. Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Arrangement and Method For A System For Administering certificates by Carlson et al., U.S. Patent No. 6,490,367.

any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N Nano whose telephone number is (703) 305-4651. The examiner can normally be reached on Monday-Friday from 8:30 to 5:00.

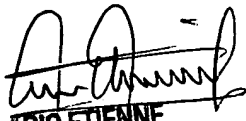
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308- 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano
Examiner Art Unit 2157

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